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OGC REVIEW
COMPLETED

7 April 1955

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MEMORANDUM FOR: General Counsel

THRU : Deputy Director (Support)

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SUBJECT : Comment of the Inspector General Regarding
Agency Bus Operations

1. The Inspector General recently conducted a survey of the Office of Logistics and made a report of findings and recommendations to the DCI on 22 January 1955. The DDCI named the DD/S as Executive Agent to implement the recommendations and disseminate pertinent comments contained therein. In behalf of the DD/S, the following comment made by the Inspector General is forwarded for your information and evaluation:

"The Agency operates a six-bus shuttle service between its major buildings in the main Headquarters area. These buses carried 422,700 passengers and operated 149,815 miles in FY 1954. Fewer passengers may be carried in FY 1955 due to a recent requirement that only Agency employees showing building badges will be transported. It should be noted that a greater number of scheduled bus runs are made between the hours of 0815 and 0845, and 1645 and 1715 than at any other time during the normal working hours. The opinion of the General Counsel is that this extra service is legal if based upon administrative necessity. However, the extra runs are made for the convenience of employees going to and from their office and the location where they obtain other transportation to their domicile. In event of a claim against the Government arising from an accident during one of these runs, it is doubtful if the Agency could establish proof of the administrative necessity for the extra runs."

2. The above statement was more of an observation rather than a recommendation; however, the DD/S made the following comments in preparing the initial reply to the DDCI on 12 March 1955:

"Concur in this recommendation. It is recognized that the operation of the shuttle bus

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recommendation is subject to continued evaluation. This recommendation will be forwarded to the General Counsel for further study. It should be noted that previous opinion of the General Counsel is that the present service is within current laws and directives."

3. It is requested that after proper evaluation has been made of the statement contained in paragraph 1. that your comments be directed to the Office of Logistics for preparation of coordinated reply to the DDCI for the DD/S.

/s/

Acting Director of Logistics

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26 April 1955

MEMORANDUM FOR: Director of Logistics

VIA : Deputy Director/Support

SUBJECT : Comments of the Inspector General
Regarding Agency Bus Operations

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1. The statistics of passenger travel on Agency shuttle buses developed by the Inspector General and quoted in [] memorandum of 7 April, while interesting, do not offer new information of the type which would require reversal of the opinions of this office on this subject. [] opinion dated 29 April 1954, precisely on the point again raised, hinges on an administrative determination that the bus service is needed for the transportation of employees on official business. The Inspector General's statistics seem to lend heavy emphasis to the existence of such need. As a logical exercise in remaking the necessary administrative determination, we suggest the following approach for your consideration.

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2. In our opinion, so long as bus trips are scheduled to meet the needs of employees on official business, they meet the requirements of section 78 of Title 5 U.S.C. While it would be theoretically possible to demand from each employee boarding a bus, evidence that he was doing so on official business, such a procedure appears to us to be highly insecure as well as being impractical. Signs might be displayed in the buses stating that travel on them is restricted to those on official business. However, I believe that it is not feasible to police the use of shuttle buses by employees beyond ascertaining that persons boarding buses are in fact employees. If so, the crowding of buses during periods of peak load may well have the effect of excluding some who are on official business. It follows that the number of buses in service at any given time and the frequency of their schedules may be adjusted to meet the requirements of employees on official business.

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/s/

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Asst General Counsel

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6. While it is expected that the DD/S, in the proper exercise of his supervisory function, will continue to examine, in the light of future developments, all recommendations contained in subject survey, specific attention should be directed to the recommendations discussed in Category I, item 16; and Category II, items 18, 19, and 24. In connection with the recommendation in Category II, item 24, it is particularly important that a continuing study be made of means to keep families of Agency personnel together, when it is clearly to the advantage of the Agency to do so.

7. The comments of the DD/S in paragraph 4 of reference (c) are noted with pleasure and are taken as a recognition of the real service performed by the Inspector General and his staff in making of such surveys. The effectiveness of such surveys is in direct proportion to the intensity of study by the Inspector General and his staff, as well as the depth of consideration given to the resultant recommendations by the supervisors concerned. Both factors are evidenced in this survey and real good has been, and will be, accomplished in a meaningful way.

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C. P. CABELL
Lieutenant General, USAF
Deputy Director

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